

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

FILED
U.S. DISTRICT COURT
2007 JAN -3 P 2:17
J. Salvestre
CLERK
S.D. DIST. OF GA.

IVORY JOSEPH SIMMONS,

Plaintiff,

v.

TIMOTHY DALE COWART,

Defendant.

CIVIL ACTION NO.: CV506-094

ORDER

In compliance with this Court's prior Order granting Plaintiff leave to proceed without prepayment of fees, Plaintiff has furnished a certified copy of his trust fund account statement and has consented to the collection in installments of the \$350.00 filing fee and any costs assessed by the Court from his prison trust account. Based on the information furnished by the Plaintiff, the Court has determined that plaintiff has had no funds in his prison account during the past six months and does not owe an initial partial filing fee.

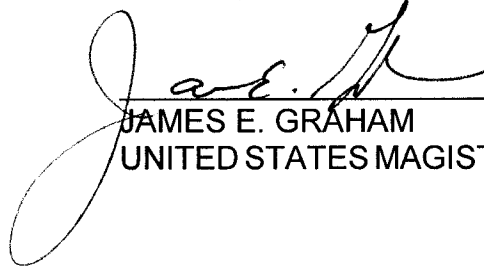
IT IS THEREFORE ORDERED that Plaintiff's custodian (or his designee) shall set aside 20 percent of the preceding month's deposits to Plaintiff's trust fund account and forward those funds to the Clerk, U.S. District Court, P.O. Box 8286, Savannah, GA 31412, each time the set aside amount exceeds \$10.00, until the balance of \$350.00 filing fee has been paid in full.

IT IS FURTHER ORDERED that all payments shall be designated as made in payment of the filing fee for this Civil Action case number. In the event Plaintiff is transferred to another institution, Plaintiff's present custodian shall forward a copy of this Order and all financial information concerning payment of the filing fee and costs in this

case to Plaintiff's new custodian. The balance due from the Plaintiff shall be collected by the custodian at his next institution in accordance with the terms of this Order.

A copy of this Order and a copy of the **Consent to Collection of Fees From Trust Account** shall be served upon the parties and Plaintiff's current custodian.

SO ORDERED, this 3rd day of January, 2007.


JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE